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DRAFTED BY EB/ ORF/ TRP: JJINGERSOLL; JB

3/16/73 EXT:23059

APPROVED BY EB/ ORF/ TRP: JLKATZ

L/ E: CPITMAN

COMMERCE: HBASHKIN

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TAGS: EGEN

SUBJ: COFFEE - MODIFICATION OF EXTENDED AGREEMENT

REF : LONDON 2537; YORK- INGERSOLL TELCON 3/14/73

1. FINAL U. S. POSITION CONCERNING EXTENSION 1968 ICA WITH DELETION ECONOMIC PROVISIONS NOT REPEAT NOT YET DECIDED. FOLLOWING GUIDANCE IS OFFERED FOR MARCH 19 WORK GROUP MEETING. OUR OBJECTIVE IN THIS REVIEW OF THE AGREEMENT IS TO INSURE THAT (A) ALL PROVISIONS WHICH INTERFERE WITH THE CARRYING OUT OF COFFEE TRADE ARE DELETED AND (B) THE CONTENTS OF ANY EXTENDED AGREEMENT ARE NEUTRAL AND WITHOUT PREJUDICE TO THE OBJECTIVES, STRUCTURE OR PROVISIONS OF ANY EVENTUALLY NEGOTIATED NEW AGREEMENT.

2. WITH THESE CONSIDERATIONS IN MIND IT WOULD APPEAR ESSENTIAL THAT THE FOLLOWING PROVISIONS BE DELETED:

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(A) CHAPTER VII - REGULATION OF EXPORTS (ARTICLES
27 THROUGH 42)

(B) CHAPTER VIII- CERTIFICATES OF ORIGIN AND REEXPORT
(ARTICLE 43)

(C) CHAPTER X - REGULATION OF IMPORTS (ARTICLE 45)

3. AS A CONSEQUENCE OF THE FOREGOING DELETIONS, CERTAIN
OTHER PROVISIONS SHOULD BE DELETED AS EITHER MEANINGLESS
OR NO LONGER RELEVANT, AS FOR EXAMPLE:

(A) PARAGRAPHS (15), (16), AND (17) OF ARTICLE 2-
DEFINITIONS

(B) SOME SUB- PARAGRAPHS OF PARAGRAPH (2) OF
ARTICLE 17

(C) CHAPTER XIX - CONSULTATIONS, DISPUTES AND
COMPLAINTS

(D) ANNEX A - BASIC EXPORT QUOTAS (REQUIRING SOME
SUBSTITUTE FORMULA FOR PARAGRAPH (3)
OF ARTICLE 12 CONCERNING ALLOCATION
OF VOTES AMONG EXPORTING MEMBERS)

(E) ANNEX B - NON- QUOTA COUNTRIES OF DESTINATION
(RELATED TO DELETED ARTICLE 40)

(F) PARAGRAPH (3) OF ARTICLE 57

4. WE COULD ALSO GO ALONG WITH DELETION OF THE FOLLOWING
PROVISIONS:

(A) CHAPTER IX - PROCESSED COFFEE (ARTICLE 44)

(B) CHAPTER XI - INCREASE OF CONSUMPTION
(ARTICLES 46 AND 47)

(C) CHAPTER XII- PRODUCTION POLICY AND CONTROLS
(ARTICLE 48)

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(D) CHAPTER XIII - REGULATION OF STOCKS (ARTICLE 49

(E) CHAPTER XIV - MISCELLANEOUS OBLIGATIONS
(ARTICLES 50, 51 AND 52)

(F) CHAPTER XV - SEASONAL FINANCING (ARTICLE 53)

(G) CHAPTER XVI - DIVERSIFICATION FUND (ARTICLE 54)

5. THE U. S. REPRESENTATIVE AT THE WORKING GROUP MEETINGS
STARTING MARCH 19 SHOULD BE GUIDED BY THE FOREGOING,
PENDING FINAL DETERMINATION OF OUR POSITION ON THE PRIN-
CIPLE OF EXTENSION WITH MODIFICATION.

6. SEPARATE INSTRUCTIONS CONCERNING CHAPTER XX - FINAL
PROVISIONS, AND ON THE FORMAT OF ANY EXTENSION WILL
FOLLOW. ROGERS

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